



CITY OF RICHMOND

REPORT TO COMMITTEE

TO: Community Safety Committee **DATE:** August 8, 2001
FROM: Sandra Tokarczyk **FILE:** 0100-20-CSCP1
Manager, Community Bylaws
RE: SITE CLEAN UP OF AN UNSIGHTLY PROPERTY
CIVIC ADDRESS: 8871, 8891, 8911, 8951 & 8971 DOUGLAS STREET
ADDITIONAL ADDRESS: 8931 DOUGLAS STREET
OWNER: 504459 B.C. LTD

STAFF RECOMMENDATION

That the City, through contracted services, proceed with the removal of all discarded materials and cut the Canada Thistle and all other growth on the properties (in accordance with Section 725 (2) of the Local Government Act) at 8871, 8891, 8911, 8931, 8951 & 8971 Douglas Street, Richmond as outlined in the "Order to Comply" of July 17, 2001 under Unsightly Premises Bylaw No. 6349, (Replaced July 23, 2001 by Bylaw 7162).

Sandra Tokarczyk
Manager, Community Bylaws

Att. 9

FOR ORIGINATING DIVISION USE ONLY
CONCURRENCE OF GENERAL MANAGER

STAFF REPORT

ORIGIN

On April 10, 2001 a complaint was received regarding the large amount of discarded materials dumped on the six vacant lots located at 8871, 8891, 8911, 8931, 8951 & 8971 Douglas Street, Richmond.

On July 10, 2001 an additional complaint was received regarding the Canada Thistle (Noxious Weeds) and all other growth on these properties.

ANALYSIS

All six of these properties are vacant and are zoned "Light Industrial District (I2)".

BACKGROUND

On April 10, 2001, the Bylaw Liaison Officer received a complaint from a neighbour regarding a large amount of discarded material, household appliances, and shingles dumped on the six empty lots. (Attachment #1 – Two Photos)

An investigation by the Bylaw Liaison Officer revealed that the property was owned by a numbered company 504459 BC Ltd. Attempts to make contact by phone with the property owner were made however no one spoke English.

April 18, 2001, a letter was sent to 504459 BC Ltd at 6651 Ross Street, Vancouver BC, requiring the removal of all the discarded materials from the properties by May 11, 2001.

On May 15, 2001 a follow up site inspection was conducted by the Bylaw Liaison Officer. The inspection revealed no action had been taken to bring the property into compliance to the Unsightly Premises letter request. (Attachment #2 - Photo)

May 17, 2001, a company search for 504459 BC Ltd, revealed a different address.

On May 23, 2001 a Register Letter was sent to 504459 BC Ltd, 2nd Floor, 6625 Fraser Street, Vancouver BC, and copies of the letter were sent to the Director's of 504459 BC Ltd., requiring the removal of all the discarded material from the properties by June 13, 2001.

Canada Post's acknowledgement of receipt shows the registered letter was received on May 25, 2001.

On June 19, 2001 a follow up site inspection was conducted by the Bylaw Liaison Officer. The inspection revealed no action had been taken to bring the property into compliance to the Unsightly Premises letter request. (Attachment #3 - Photo)

On June 27, 2001, Martin Wirick from Wirick & Company, legal representative for the owners, left a voicemail indicating his client would clean up the property. No date for the clean up was mentioned in this message.

On July 4, 2001 a follow up site inspection by the Bylaw Liaison Officer revealed that no action had been taken to bring the property into compliance.

Mr. Martin Wirick , legal representative for the owner, spoke to the Bylaw Liaison Officer by phone this same day and indicated his clients stated the property would be cleaned but he was unable to provide a date for the clean up.

On July 10, 2001, a complaint was received regarding the Canada Thistle and other growth on the property. A site inspection by the Bylaw Liaison Officer and the Weed Control Officer confirmed Canada Thistle and other growth on all six properties. (Attachment # 4 - Photo)

On July 17, 2001 an "Order to Comply" was sent registered mail to the property agent, requiring the clean up of all discarded material and the cutting of the Canada Thistle and other growth. This order requested compliance by July 31, 2001.

Canada Post's acknowledgement of receipt shows the registered letter was received on July 20, 2001.

Note:

On July 23, 2001 Unsightly Premises Bylaw No. 6349 was repealed and replaced with Unsightly Premises Regulation Bylaw No. 7162.

On August 1, 2001, a follow up site inspection was conducted by the Bylaw Liaison Officer. The inspection revealed no action had been taken to bring the property into compliance with the "Order to Comply". (Attachment # 5 – Three Photos)

SECTION 725 OF THE LOCAL GOVERNMENT ACT

Section 725 of the Local Government Act allows Council, by bylaw (i.e. in this instance by authority of Bylaw No. 7162), to prohibit the owners or occupiers of real property from allowing their property to become or remain unsightly.

Unsightly Premises Regulation Bylaw No. 7162 describes the process to deal with such properties and includes the requirements of issuing an Order to Comply.

Section 725 (2) of the Local Government Act addresses the action the City may take to remedy the unsightliness on real property. Bylaw No. 7162 Section 2.2.2 states "If the owner or the occupier of such property, or their agents fail to remove or clear the offending material from the real property as directed in an Order to Comply, City staff, or a contractor engaged by the City, may enter on the real property, at reasonable times and in a reasonable manner, to remove or clear the offending material at the expense of the defaulting owner or occupier of the real property, or their agents."

FINANCIAL IMPACT

The Unsightly Premises Regulation Bylaw No. 7162 Section 2.2.3 states "Where offending material has been removed or cleared in accordance with subsection 2.2.2, the charges for such removal or clearance, if unpaid on or before December 31st in the year in which the charges are incurred, form part of the taxes payable on such property, as taxes in arrears."

Staff obtained a quote from our contractor John's Custom Tractor & Disposal Service for the removal of the discarded material and to cut the weeds and other growths as follows:

John's Custom Tractor Includes material/labour/GST	\$1,481.25
City adds 23% for overhead charge	<u>340.69</u>
	\$1,821.94
City adds 7% GST on the total	<u>127.54</u>
Total Cost for clean up	\$1,949.48

CONCLUSION

Authority under the Local Government Act and the Unsightly Premises Bylaw No. 7162 is given for staff to address this property. Due to the estimate received, it is necessary to obtain Council's approval to undertake such action. The agent/owners have been advised, not only with an Order to Comply but also verbally and by correspondence, on the condition of the property.

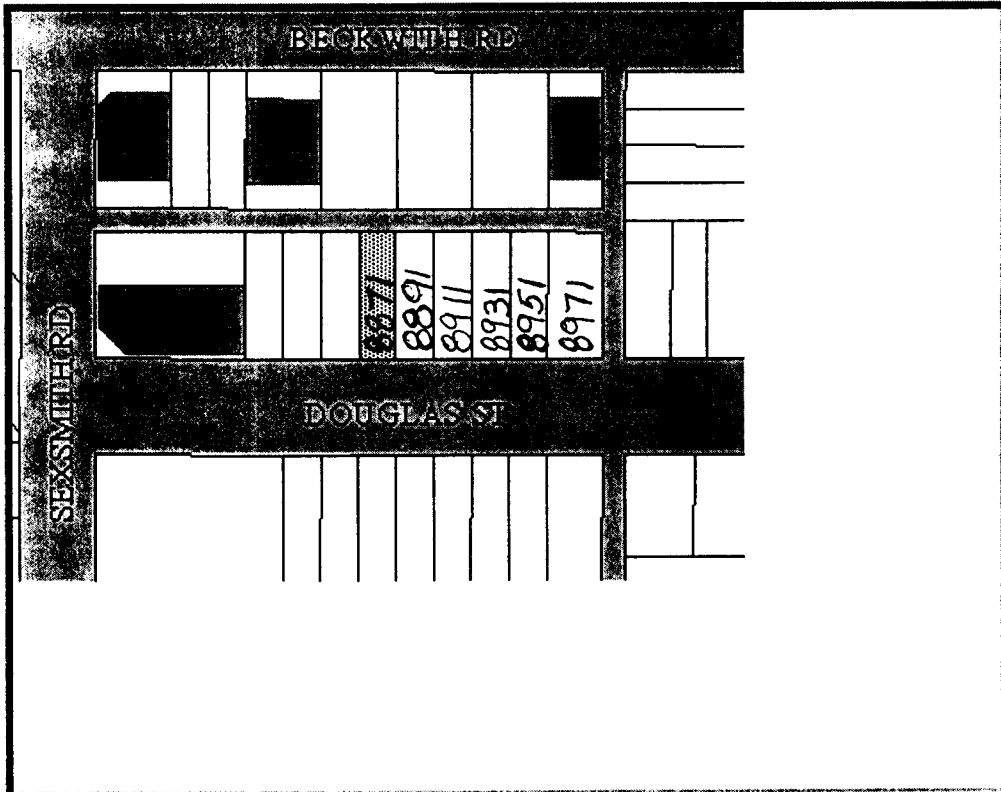


Sandra Tokarczyk
Manager, Community Bylaws

SLT:tc



GIS Inquiry Print Page



LEGEND	
PENDING ROAD AQUISITIONS	
AIR SPACE PARCELS	
PARCELS	
STRATA BUILDINGS	
MAJOR STREETS	
MINOR STREETS	
BLOCK OUTLINES	
ISLANDS (FILL_FLAG)	1
FRASER RIVER (MARSH)	1 2

City of Richmond Property Information

8871 Douglas St Richmond Key : 18702 (Property)
 Roll: 078-633-000

LOT: 23 BLK 57 SEC: 21/22-5-6 PL: 1555 PID: 011-280-701

Zoning: I2
 OCP SCH: 2.12 BER-C: 0.9m
 DPA, NEF BER-P: 0.9m

Sewer Area: WEST
 Rights of Way:

Legal
 BCAA Legal:
 23 BLK 57 SEC 21/22 BLK5N RG6W PL 1555 .

Gross Taxes: \$3557.71

Assessments	Land	Improve	Total
Gross:	\$155000	\$0	\$155000
Net:	\$155000	\$0	\$155000
Parcel Area:	0.085 ac	0.034 ha	343.364 sq.m.

Owners
 504459 BRITISH COLUMBI A LTD
 6651 ROSS ST
 VANCOUVER BC
 V5X4S1

8871, 8891, 8911, 8931, 8951 + 8971

DOUGLAS STREET
APRIL 12, 2001



Photo taken by Tracy Christopherson
Bylaw Liaison Officer

Tracy Christopherson

ATTACHMENT 1

8871, 8891, 8911, 8931, 8951 & 8971

DOUGLAS STREET
APRIL 12, 2001



Photo taken by Tracy Christopherson
Bylaw Liaison Officer

Tracy Christopherson

ATTACHMENT 1

8871, 8891, 8911, 8931, 8951 & 8971

DOUGLAS STREET
MAY 17, 2001

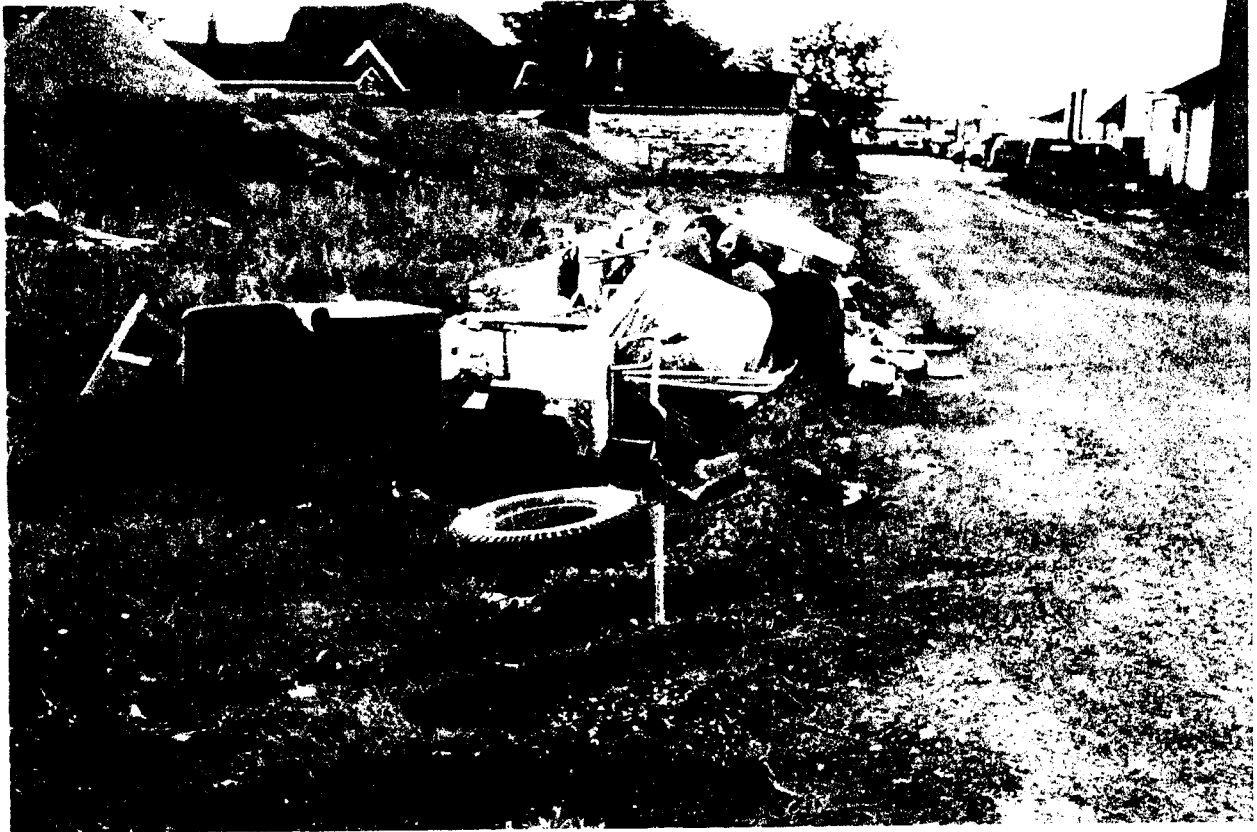


Photo taken by Tracy Christopherson
Bylaw Liaison Officer

~~Ch. S. Christopherson~~

ATTACHMENT 2

8871, 8891, 8911, 8931, 8951 & 8971

DOUGLAS STREET
JUNE 19, 2001



photo taken by Tracy Christopherson
Bylaw Liaison Officer

Tracy Christopherson

ATTACHMENT 3

8871, 8891, 8911, 8931, 8951 & 8971

DOUGLAS STREET
JULY 11, 2001



Photo taken by Tracy Christophersen
Byjuw Hansen Officer

Tracy Christophersen

ATTACHMENT 4

8871 8891, 8911, 8931, 8951 & 8971 Douglas St
August 01, 2001



Photo taken by Tracy Christophersen
Bylate Liaison Officer

Tracy Christophersen

ATTACHMENT 5

8871, 8891, 8911, 8931, 8951 & 8971 Douglas St
August 1, 2001

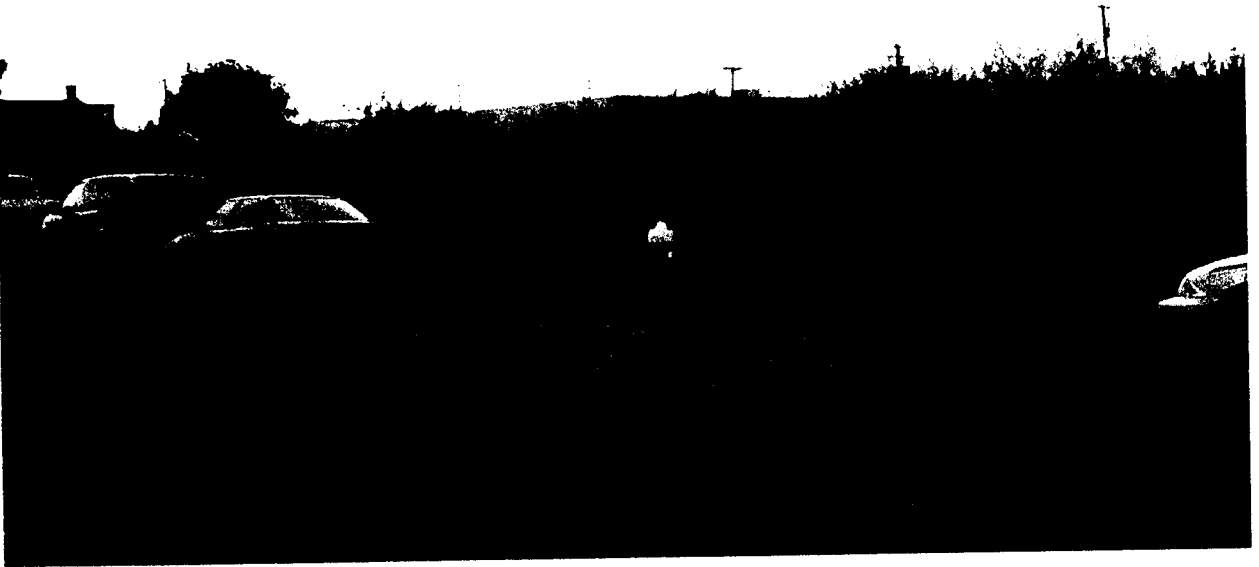


Photo taken by Tracy Christensen
Bylaw Liaison Officer

Tracy Christensen

ATTACHMENT 5

8871, 8891, 8911, 8931, 8951 & 8971 Douglas St
August 1, 2001



Photo taken by Tracy Christe pranson
Bylae Larson Officer

~~Christe pranson~~

ATTACHMENT 5